

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3722 & 3723 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
  5. Whether it is to be circulated to the Civil Judge? : NO

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MUNICIPAL CORPORATION-BARODA

Versus

VADODARA MUNICIPAL CORPORATION  
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Appearance:

Mr KM Patel for MR VB PATEL for Petitioner  
MR BB NAIK for Respondent No. 1  
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CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 09/03/2000

ORAL JUDGEMENT

Learned advocate Mr.KM Patel is appearing for Mr.

VB Patel, Sr.Advocate for the petitioner. In these petitions, the petitioners have challenged the vires of section 36(2) of the Industrial Disputes Act. The petitioners have also challenged the impugned order passed by the Labour Court, Baroda.

Both the petitions were admitted by this Court on 7th August, 1989 and the ad interim relief which was granted earlier was confirmed.

In view of the challenge of vires of section 36(2) of the ID Act, both these petitions were ordered to

be placed before the appropriate Bench as per the order of this Court dated 8.12.1999.

Today, when the matter was called out for final hearing, learned advocate Mr. K.M.Patel appearing for the petitioners herein has informed this Court that the reference has been disposed of by the labour court in both the cases and now the main reference is not pending before the labour Court Baroda and probably, he is having some impression to the effect that the matters have been settled between the parties but he is not sure about it.

In view of the statement made by Mr. Patel, the learned advocate appearing for the petitioners in both the cases that the main reference have been decided and disposed of by the labour Court, Baroda and that the matters have been settled between the parties, both these petitions shall not survive as having become infructuous. Both the petitions are accordingly ordered to be disposed of as having become infructuous with a liberty to the either of the parties to move this Court for revival of the petition in case of difficulty by filing mere note. Rule in both the petitions shall stand discharged. Ad interim relief granted earlier shall also stand vacated with no order as to costs.

9.3.2000. (H.K.Rathod,J.)

Vyas